

PATENT COOPERATION TREATY

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From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
THOMAS M. GAGE
KIMBERLY-CLARK WORLDWIDE, INC.
401 N. LAKE STREET
NEENAH, WI 54956

PCT

WRITTEN OPINION

(PCT Rule 66)

Applicant's or agent's file reference 15663.2		Date of Mailing (day/month/year) REPLY DUE within 2 months/days from the above date of mailing
International application No. PCT/US01/15874	International filing date (day/month/year) 16 May 2001 (16.05.2001)	Priority date (day/month/year) 16 May 2000 (16.05.2000)
International Patent Classification (IPC) or both national classification and IPC IPC(7): B31F 1/00, 1/08 and US Cl.: 493/418		
Applicant KIMBERLY-CLARK WORLDWIDE, INC.		

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension. See rule 66.2(d).~~

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 *bis*.
For an informal communication with the examiner, see Rule 66.6

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 16 September 2002 (16.09.2002).

Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer Rinaldi I. Rada Telephone No. (703) 305-3576
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WRITTEN OPINION

International application No.

PCT/US01/15874

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I. Basis of the opinion

1. With regard to the **elements** of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
pages 1-32, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the claims:
pages 33-37, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the drawings:
pages 1-9, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☐ the sequence listing part of the description:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."

WRITTEN OPINION

International application No.
PCT/US01/15874

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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims <u>1-5, 7-8, 11, 13-25</u>	YES
	Claims <u>6, 9, 10, 12</u>	NO
Inventive Step (IS)	Claims <u>1-25</u>	YES
	Claims <u>6, 9, 10, 12</u>	NO
Industrial Applicability (IA)	Claims <u>1-25</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 6, 9, 10, 12 novelty under PCT Article 33(2) as being anticipated by Nystrand (3994486).

Nystrand discloses the method of folding diapers by creating a folding nip (27) comprising a vacuum head (18, fig. 6) cooperating with transport device, transporting a plurality of discrete articles (11) to the folding nip (27), each discrete article defining a leading half and trailing half and an interconnecting region disposed between and interconnecting the leading and trailing halves, moving the interconnecting region into the folding nip and advancing the leading and trailing halves into the folding nip.

Claims 1-5, 7-8, 11, 13-25 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest interposing separation members disposed on opposite sides of a machine center line, the separation members disposed outward from the machine center line.

----- NEW CITATIONS -----

WRITTEN OPINION

International application No.
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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

TIME LIMIT:

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 15663.2	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US01/15874	International filing date (day/month/year) 16 May 2001 (16.05.2001)	Priority date (day/month/year) 16 May 2000 (16.05.2000)
International Patent Classification (IPC) or national classification and IPC IPC(7): B31F 1/00, 1/08 and US Cl.: 493/418		
Applicant KIMBERLY-CLARK WORLDWIDE, INC.		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of ___ sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of ___ sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>		
Date of submission of the demand 13 December 2001 (13.12.2001)	Date of completion of this report 27 August 2002 (27.08.2002)	
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer Rinaldi I. Rada Telephone No. (703) 305-3576	

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US01/15874

FILE COPY

I. Basis of the report

1. With regard to the **elements** of the international application:*

- ☒ the international application as originally filed.
- ☒ the description:
pages 1-32 as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the claims:
pages 33-37, as originally filed
pages NONE, as amended (together with any statement) under Article 19
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- ☒ the drawings:
pages 1-9, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
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pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

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- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

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- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US01/15874

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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims 1-5, 7-8, 11, 13-25	YES
	Claims 6, 9, 10, 12	NO
Inventive Step (IS)	Claims 1-5, 7-8, 11, 13-25	YES
	Claims 6, 9, 10, 12	NO
Industrial Applicability (IA)	Claims 1-25	YES
	Claims NONE	NO

2. CITATIONS AND EXPLANATIONS

Claims 6, 9, 10, 12 novelty under PCT Article 33(2) as being anticipated by Nystrand (3994486).

Nystrand discloses the method of folding diapers by creating a folding nip (27) comprising a vacuum head (18, fig. 6) cooperating with transport device, transporting a plurality of discrete articles (11) to the folding nip (27), each discrete article defining a leading half and trailing half and an interconnecting region disposed between and interconnecting the leading and trailing halves, moving the interconnecting region into the folding nip and advancing the leading and trailing halves into the folding nip.

Claims 1-5, 7-8, 11, 13-25 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest interposing separation members disposed on opposite sides of a machine center line, the separation members disposed outward from the machine center line.

----- NEW CITATIONS -----